

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 2:16-cr-94
	:	
BRIAN FOLKS,	:	
	:	
Defendant.	:	

ORDER

The purpose of restitution under 18 U.S.C. § 1593 is primarily to make victims whole. The number asked for by the Government of \$142,700 is not a reliable estimate made with reasonable certainty, and the Government's use of \$200 as the average price per client is not a reasonable estimate.

The Court accepts the Government's estimate of the number of days each victim participated in the prostitution as follows:

1. Victim A (Katelynn C.)	60 days
2. Victim B (Keisha W.)	10 days
3. Victim C (Danielle M.)	10 days
4. Victim D (Ayla L.)	120 days

The victims earned between \$100 and \$250 per customer, and the Court accepts the Government's estimate of three customers per day. One half of the earnings were given to the Defendant, one half kept by the victims. Each victim was also provided living

and miscellaneous expenses. As a result, the Court must estimate the restitution figure for each victim in the amount set out below.

(1) Pursuant to the provisions of 18 U.S.C. § 1593, restitution totaling \$22,000 is ordered. Restitution shall be made payable to the following victims in the allotments delineated below:

- a. \$6,000 Victim A (Katelynn C.)
- b. \$3,000 Victim B (Keisha W.)
- c. \$3,000 Victim C (Danielle M.)
- d. \$10,000 Victim D (Ayla L.)

(2) When supervised release begins, the defendant must pay 10% of his gross monthly income in restitution until the financial obligation is paid in full. The restitution order is stayed during his period of imprisonment.

(3) The defendant has demonstrated an inability to pay interest on the restitution; therefore, the interest is waived.

(4) The JVT A assessment is \$25,000. The defendant has demonstrated an inability to pay. Hence, the JVT A assessment is waived.

(5) A special assessment of \$1,200 is imposed, due immediately.

DATED at Burlington, in the District of Vermont, this 21st
day of September, 2020.

/s/ William K. Sessions III
William K. Sessions III
U.S. District Court Judge